

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-7426**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ALVIN E. LOWERY, JR.,

Defendant - Appellant.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. William M. Nickerson, Senior District Judge. (CR-97-411-WMN, CA-00-2454-WMN)

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Submitted: January 16, 2003

Decided: January 23, 2003

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Before WILLIAMS, KING, and GREGORY, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Alvin E. Lowery, Jr., Appellant Pro Se. Christine Manuelian, OFFICE OF THE UNITED STATES ATTORNEY, Baltimore, Maryland, for Appellee.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Alvin E. Lowery, Jr., seeks to appeal the district court's order denying relief on his motion filed under 28 U.S.C. § 2255 (2000). We have reviewed the record and conclude for the reasons stated by the district court that Lowery has not made a substantial showing of the denial of a constitutional right. See United States v. Lowery, Nos. CR-97-411-WMN; CA-00-2454-WMN (D. Md. filed July 17, 2002; entered July 18, 2002). Accordingly, we deny a certificate of appealability and dismiss the appeal. See 28 U.S.C. § 2253(c) (2000). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED